

Remarks

In the Office Action dated June 23, 2003, the Examiner rejected claims 38 and 39 under 35 U.S.C. § 102 as being anticipated by the U.S. Patent to Akeel, et al. 4,892,992. The Examiner rejected claims 37-39 under 35 U.S.C. § 102 as being anticipated by the U.S. Patent to Coulter 4,578,554. The Examiner rejected claims 38-40 under 35 U.S.C. § 102 as being anticipated by the U.S. Patent to Sasnett 4,760,583. The Examiner rejected claims 38-40 under 35 U.S.C. § 102 as being anticipated by the Great Britain publication in the name of Rando, et al. GB 2,153,785A. The Examiner indicated that claims 31-36 and 41-55 were allowed. By this Amendment Applicants' Attorney has amended claim 38 to more particularly point out and distinctly claim what Applicants regard as their invention. New claims 56-59 have been added to insure that the Applicants receive the protection that they deserve.

With respect to the rejection of claim 37, the Examiner is invited to consider the following remarks. The patent to Coulter fails to disclose or mention an optic to center the focused laser beam coaxial with the tip. The adjustment referred to in Coulter is merely for the Z axis only and not for centering. Consequently, it is respectfully submitted that the rejection of claim 37 as being anticipated by Coulter has been overcome.

Claim 38 has been amended to make it clear that the assist gas exits the housing to assist the light beam to process material. Clearly this feature is neither taught, disclosed nor discussed by the U.S. Patent to Akeel, et al. Akeel, et al., discloses an air source which provides a positive pressure to keep contaminants from entering the beam path. Clearly, Akeel, et al. does not disclose assist gas which exits the housing to assist the light beam to process material.

The U.S. Patent to Sasnett also fails to disclose the feature of an assist gas which exits the housing to assist the light beam to process material. The gas described in Sasnett is a lasing medium used to create the laser source.


The patent document in the name of Rando (GB 2153785) fails to disclose a telescopic assist gas delivery tube. Also, the gas inlet of Rando is not within a housing.

Consequently, in view of the above and in the absence of better art, Applicants' Attorney respectfully submits the application is in condition for allowance which allowance is respectfully requested.

A check in the amount of \$110.00 is enclosed to cover the Petition fee. Please charge any additional fees or credit any overpayments as a result of the filing of this paper to our Deposit Account No. 02-3978 -- a duplicate of this paper is enclosed for that purpose.

Respectfully submitted,

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